

IN SENATE OF THE UNITED STATES.

JUNE 19, 1848.

Submitted, and ordered to be printed.

Mr. WESTCOTT made the following

REPORT:

[To accompany bill H. R. No. 239.]

The Committee of Claims, to whom was referred House bill, No. 239, entitled "An act for the relief of the legal representatives of James Porterfield, deceased, report:

That it appears by the papers filed the claim is for \$829 77, an alleged balance, under date of 3d December, 1797, standing on the books of the treasury in favor of the deceased. It is alleged that it has remained unpaid for *more than half a century!* The report of the Committee of Claims of the House of Representatives, accompanying this bill, and the evidence printed with it, is in these words:

"That from the papers herewith printed and submitted, it appears that there is due to James Porterfield, from the treasury of the United States, the sum of \$829 79; that the books of the treasury show this to be true. This committee, therefore, report a bill and recommend its passage."

To the Senate and House of Representatives of the United States:

The memorial of James Owen, of Wilmington, North Carolina, respectfully represents:

That James Porterfield, deceased, late of North Carolina, was an assistant commissary of purchases in the service of the United States in the war of the revolution; that the books of the Register of the Treasury show that, on the 3d December, 1791, James Porterfield, assistant commissary of purchases, was credited with the sum of \$829 77, which had been erroneously charged to, and paid by him; that on the settlement of the accounts of Joseph Green, the commissary for the southern department, this error was discovered and rectified by an entry to the credit of James Porter-

field, as a debt due to him by the United States. All which will more fully appear by reference to the records of the department.

Your memorialist, therefore, respectfully asks that the money so due be paid to him, with interest, from the date above stated, as the administrator and legal representative of the said James Porterfield, deceased.

JAS. OWEN.

TREASURY DEPARTMENT,
Register's Office, February 2, 1848.

SIR: In compliance with your request of the 31st ult., I have herewith enclosed an extract from the books in this office, in relation to the account of James Porterfield.

I have the honor to be, sir, your obedient servant,

DANIEL GRAHAM, *Register.*

Hon. J. R. J. DANIEL,
House of Representatives.

Balances in the Commissary of Purchases Department. Dr.

TO REGISTERED DEBT.

For eight hundred and twenty-nine dollars seventy-seven
ninetieths, found due to James Porterfield, late assistant
commissary of purchases, of North Carolina, under the
direction of Joseph Green, esq., deputy commissary of
purchases, a balance due him, being so much expended
in the purchase of provisions more than he received for
that purpose, which sum has been charged to said Green
and accounted for by him on the settlement of his ac-
counts, £23,235 19s., North Carolina currency, equal to
\$58,089 $\frac{19}{100}$. Exchanged 70 for one..... \$829 $\frac{77}{100}$

TREASURY DEPARTMENT,
Register's Office, February 2, 1848.

I certify the above to be a true extract from the Revolutionary Records in this office, under date of the 3d December, 1791, and that from the remaining records in this office of the issue of certificates of registered debt, of that date, it appears that a certificate was issued in favor of James Porterfield for eight hundred and twenty-nine dollars eighty-four cents, ($\frac{77}{100}$), the sum with which "registered debt" was credited, as above stated.

DANIEL GRAHAM, *Register.*

Admonished by other cases of similar character, that have occurred this session, of the necessity of caution in deciding as to the allowance of these old balances, the committee in the present case applied to the Register of the Treasury, to make an investigation and ascertain if this balance had not been settled, as was ascertained to be the fact in some of the other cases referred to. The reply of the register is as follows:

TREASURY DEPARTMENT,
Register's Office, May 9, 1848.

SIR: From the loss of the ledger in which the certificate in favor of James Porterfield, for \$829 $\frac{77}{100}$ was entered, it cannot now be ascertained when or to whom it was transferred, or in what manner it was paid. That it has been taken up by the government may be considered, certain from the fact that it is not on the list of outstanding and unpaid certificates of registered debt, prepared from the ledger, in 1799, and now on file in this office.

I have the honor to be, sir, your obedient servant,
DANIEL GRAHAM, *Register.*

Hon. J. D. WESTCOTT, *Senator.*

Application for payment of claims of this character often originate through agents mousing about the public offices, hunting up cases, and who, upon discovering old balances unclaimed on the books, search for a party that can legally claim it, and notify such party of the discovery, recommending that it be made the basis of a petition to Congress, and generally stipulating for a share of the amount to be recovered, in the nature of a reward for the discovery, or rather as salvage on the sum saved. Cases have occurred of the discovery of a balance inducing the procurement of letters of administration solely to demand it, and without the knowledge of the decendant heirs! The cases I have referred to as having occurred at the present session of Congress, from allowing any claim founded solely on similar evidence, until it has been referred to and thoroughly examined by the public officers of the department in which the records relating to it are to be found. The committee report against the passage of the House bill, *because the claim has been paid*, and propose the following resolution:

Resolved, That the House bill, entitled "An act for the relief of the legal representatives of James Porterfield," should not pass.

Also published by other cases of similar character, that have occurred this session, of the necessity of caution in dealing as to the allowance of that bill balance, the commission in the present case applied to the Register of the Treasury, to make an investigation and ascertain if this balance had not been settled as was ascertained to be the fact in some of the other cases referred to. The reply of the register is as follows:

TREASURY DEPARTMENT
Register's Office, May 9, 1837

Sir: From the loss of the ledger in which the certificate in favor of James Fortfield for \$2932.11 was entered, it cannot now be ascertained where or to whom it was transferred, or in what manner it was paid. That it has been taken up by the government may be considered certain from the fact that it is not on the list of outstanding and unpaid certificates of registered debt, obtained from the ledger in 1836 and now on file in this office.

I have the honor to be, Sir, your obedient servant,
DANIEL CRAWFORD, Register.

Hon. J. D. Westcott, Secretary.

Application for payment of claims of this character, often arise through agents, moving about the public offices, hunting up claims, and who upon discovering old claims, unclaimed or the books, search for a party that can legally claim it, and notify such party of the discovery, recommending that it be made the basis of a petition to Congress; and generally stipulating for a share of the amount to be recovered, for the nature of reward for the discovery, or rather as a bribe on the same level. Cases have occurred of the discovery of a balance, including the government, or of administration, solely to demand it, and without the knowledge of the department. The case I have referred to as having occurred at the present session of Congress, from allowing any claim founded solely on similar evidence, until it has been referred to and thoroughly examined by the public officers of the department, in which the records relating to it are to be found. The certificate for \$2932.11 against the payment of the House bill, because the claim has been paid, and propose the following resolution:
Resolved, That the House bill, entitled "An act for the relief of the legal representatives of James Fortfield," should not pass.